

WHEREAS, Paragraph 3 of this Court's May 12, 2011 Amended Case Management Order (Dkt. No. 139) states that "Defendants named as party defendants in a Direct Action (Non-Class) Complaint . . . transferred to this MDL after the date of the ruling will answer, move or otherwise respond to that Direct Action (Non-Class) Complaint within 45 days after the complaint is . . . transferred"; and

WHEREAS, to date, undersigned counsel for Plaintiffs in each of the five (5) above-captioned actions has not served the Defendants with service of process, pursuant to Federal Rule of Civil Procedure 4 and/or Paragraphs 6 through 8 of this Court's May 12, 2011 Amended Case Management Order (Dkt. No. 139), in any of those actions;

IT IS HEREBY ORDERED, as STIPULATED AND AGREED by and between the undersigned counsel for the respective parties, as follows:

1. None of the undersigned Defendants shall be required to answer, move or otherwise respond to the pleadings filed in any of the five (5) above-captioned actions until 45 days after they have been properly served as specified in this Court's May 12, 2011 Amended Case Management Order; and

2. This Stipulation shall not toll any applicable statutes of limitation.

SO ORDERED:

JUDGE JACK ZOUHARY
U.S. DISTRICT JUDGE

ENTERED

Respectfully submitted this 31st day of October, 2012.

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